

## Calendar No. 106

109TH CONGRESS  
1ST SESSION

# H. R. 1046

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IN THE SENATE OF THE UNITED STATES

MAY 17, 2005

Received; read twice and placed on the calendar

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## AN ACT

To authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. WATER STORAGE CONTRACTS.**

2 (a) DEFINITIONS.—In this Act:

3 (1) CITY.—The term “city” means—

4 (A) the city of Cheyenne, Wyoming;

5 (B) the Board of Public Utilities of the  
6 city; and

7 (C) any agency, public utility, or enterprise  
8 of the city.

9 (2) KENDRICK PROJECT.—The term “Kendrick  
10 Project” means the Bureau of Reclamation project  
11 on the North Platte River that was authorized by a  
12 finding of feasibility approved by the President on  
13 August 30, 1935, and constructed for irrigation and  
14 electric power generation, the major features of  
15 which include—

16 (A) Seminoe Dam, Reservoir, and Power-  
17 plant; and

18 (B) Alcova Dam and Powerplant.

19 (3) SECRETARY.—The term “Secretary” means  
20 the Secretary of the Interior, acting through the  
21 Commissioner of Reclamation.

22 (4) STATE.—The term “State” means the State  
23 of Wyoming.

24 (b) CONTRACTS.—

25 (1) IN GENERAL.—The Secretary may enter  
26 into 1 or more contracts with the city for annual

1 storage of the city's water for municipal and indus-  
2 trial use in Seminole Dam and Reservoir of the  
3 Kendrick Project.

4 (2) CONDITIONS.—

5 (A) TERM; RENEWAL.—A contract under  
6 paragraph (1) shall—

7 (i) have a term of not more than 40  
8 years; and

9 (ii) may be renewed on terms agree-  
10 able to the Secretary and the city, for suc-  
11 cessive terms of not more than 40 years  
12 per term.

13 (B) REVENUES.—Notwithstanding the Act  
14 of May 9, 1938 (52 Stat. 322, chapter 187; 43  
15 U.S.C. 392a)—

16 (i) any operation and maintenance  
17 charges received under a contract executed  
18 under paragraph (1) shall be credited  
19 against applicable operation and mainte-  
20 nance costs of the Kendrick Project; and

21 (ii) any other revenues received under  
22 a contract executed under paragraph (1)  
23 shall be credited to the Reclamation Fund  
24 as a credit to the construction costs of the  
25 Kendrick Project.



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